



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक ५३]

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असाधारण क्रमांक ८३

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances, the Maharashtra Legislature Members' Pension and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Bill, 2016 (L. A. Bill No. XLI of 2016), introduced in the Maharashtra Legislative Assembly on the 5th August 2016, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

P. H. MALI,
Principal Secretary (Legislation) to Government.
Law and Judiciary Department.

L. A. BILL No. XLI OF 2016.

A BILL

further to amend the Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, the Maharashtra Ministers' Salaries and Allowances Act, the Maharashtra Legislature Members' Salaries and Allowances Act, the Maharashtra Legislature Members' Pension Act, 1976 and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978.

XLVII of 1956. WHEREAS it is expedient further to amend the Maharashtra Legislative
XLVIII of 1956. Council (Chairman and Deputy Chairman) and Maharashtra Legislative
XLIX of 1956. Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, the
Mah. I of 1977. Maharashtra Ministers' Salaries and Allowances Act, the Maharashtra
Mah. VIII of 1978. Legislature Members' Salaries and Allowances Act, the Maharashtra
Legislature Members' Pension Act, 1976 and the Leaders of Opposition in
Maharashtra Legislature Salaries and Allowances Act, 1978, for the purposes

(१)

hereinafter appearing ; it is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

Short title. 1. This Act may be called the Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances, the Maharashtra Legislature Members' Pension and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Act, 2016.

CHAPTER II

AMENDMENTS TO THE MAHARASHTRA LEGISLATIVE COUNCIL (CHAIRMAN AND DEPUTY CHAIRMAN) AND MAHARASHTRA LEGISLATIVE ASSEMBLY (SPEAKER AND DEPUTY SPEAKER) SALARIES AND ALLOWANCES ACT.

Substitution
of section 3 of
XLVII of 1956.

2. For section 3 of the Maharashtra Legislative Council (Chairman and Deputy Chairman) and the Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act (hereinafter, in this Chapter, referred to as "the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act"), the following section shall be substituted, namely :—

XLVII of
1956.

Salaries of
Chairman
and Speaker.

"3. Save as otherwise provided in this Act, there shall be paid to the Chairman and Speaker, during the term of their office, the salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Chief Secretary to the Government of Maharashtra and as revised, from time to time."

Amendment
of section 5 of
XLVII of 1956.

3. In section 5 of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, sub-section (2) shall be deleted.

Amendment
of section 10
of XLVII of
1956.

4. For section 10 of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, the following section shall be substituted, namely :—

Salaries of
Deputy
Chairman
and Deputy
Speaker.

"10. Save as otherwise provided in this Act, there shall be paid to the Deputy Chairman and the Deputy Speaker, during the term of their office, the salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Additional Chief Secretary to the Government of Maharashtra and as revised, from time to time."

Amendment
of section 12B
of XLVII of
1956.

5. Section 12B of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, shall be re-numbered as sub-section (1) thereof and,—

(a) in sub-section (1), as so re-numbered, for the letters and figures "Rs. 15,000" the letters and figures "Rs. 25,000" shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(2) There shall be paid to the Chairman, the Speaker, the Deputy Chairman and the Deputy Speaker a sum of Rs. 10,000 per month for availing the services of computer operator.”;

(c) in the marginal note, after the words “personal assistant” the words “and a computer operator” shall be added.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA MINISTERS’ SALARIES AND ALLOWANCES ACT.

- XLVIII of 1956. **6.** For section 3 of the Maharashtra Ministers’ Salaries and Allowances Act (hereinafter, in this Chapter, referred to as “the Ministers’ Salaries and Allowances Act”), the following section shall be substituted, namely :—
- Substitution of section 3 of XLVIII of 1956. Salaries of Ministers and Minister of State.
- “**3.** (1) Save as otherwise provided in this Act, there shall be paid to the Minister, during the term of his office, the salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Chief Secretary to the Government of Maharashtra and as revised, from time to time.
- (2) Save as otherwise provided in this Act, there shall be paid to the Minister of State, during the term of his office, the salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Additional Chief Secretary to the Government of Maharashtra and as revised, from time to time.”.
- 7.** In section 8 of the Ministers’ Salaries and Allowances Act, sub-section (2) shall be deleted.
- Amendment of section 8 of XLVIII of 1956.
- 8.** Section 8A of the Ministers’ Salaries and Allowances Act shall be deleted.
- Deletion of section 8A of XLVIII of 1956.
- 9.** Section 10C of the Ministers’ Salaries and Allowances Act, shall be re-numbered as sub-section (1) thereof and,-
- Amendment of section 10C of XLVIII of 1956.
- (a) in sub-section (1), as so re-numbered, for the letters and figures “Rs. 15,000” the letters and figures “Rs. 25,000” shall be substituted;
- (b) after sub-section (1), the following sub-section shall be inserted, namely :—
- “(2) There shall be paid to every Minister, Minister of State and Deputy Minister a sum of Rs. 10,000 per month for availing the services of computer operator.”;
- (c) in the marginal note, after the words “personal assistant” the words “and a computer operator” shall be added.

CHAPTER IV

AMENDMENTS TO THE MAHARASHTRA LEGISLATURE MEMBERS’ SALARIES AND ALLOWANCES ACT.

- XLIX of 1956. **10.** In section 3 of the Maharashtra Legislature Members’ Salaries and Allowances Act (hereinafter, in this Chapter, referred to as “the Legislature Members’ Salaries and Allowances Act”).
- Amendment of section 3 of XLIX of 1956.

(a) for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) Save as otherwise provided in this Act, there shall be paid to the Members, during the term of his office, the salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Principal Secretary to the Government of Maharashtra and as revised, from time to time.”;

(b) sub-section (2), shall be deleted;

(c) in the marginal note, the words “and consolidated allowances” shall be deleted.

Amendment
of section 4 of
XLIX of 1956.

11. In section 4 of the Legislature Members’ Salaries and Allowances Act, for the letters and figures “Rs. 1,000” the letters and figures “Rs. 2,000” shall be substituted.

Amendment
of section 6 of
XLIX of 1956.

12. In section 6 of the Legislature Members’ Salaries and Allowances Act,-

(a) in sub-section (3), for the letters and figures “Rs. 15,000” the letters and figures “Rs. 25,000” shall be substituted;

(b) after sub-section (3), the following sub-section shall be inserted, namely :—

“(3A) There shall be paid to every Member a sum of Rs. 10,000 per month for availing the services of computer operator.”;

(c) sub-section (4) shall be deleted.

CHAPTER V

AMENDMENT TO THE MAHARASHTRA LEGISLATURE MEMBERS’ PENSION ACT, 1976.

Amendment
of section 3 of
Mah. I of
1977.

13. In section 3 of the Maharashtra Legislature Members’ Pension Act, 1976, in sub-section (1), for the words “forty thousand rupees” the words “fifty thousand rupees” shall be substituted. Mah. I of 1977.

CHAPTER VI

AMENDMENTS TO THE LEADERS OF OPPOSITION IN MAHARASHTRA LEGISLATURE SALARIES AND ALLOWANCES ACT, 1978.

Substitution
of section 3 of
Mah. VIII of
1978.

14. For section 3 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978 (hereinafter, in this Chapter, referred to as “the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act”), the following section shall be substituted, namely :— Mah. VIII of 1978.

Salary of
Leader of
Opposition.

“3. Save as otherwise provided in this Act, there shall be paid to the each Leader of Opposition, during the term of his office, the salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Chief Secretary to the Government of Maharashtra and as revised, from time to time.”.

Deletion of
section 3A of
Mah. VIII of
1978.

15. Section 3A of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act shall be deleted.

16. Section 10A of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, shall be re-numbered as sub-section (1) thereof and,—

Amendment
of section 10A
of Mah. VIII
of 1978.

(a) in sub-section (1), as so re-numbered, for the letters and figures “Rs. 15,000” the letters and figures “Rs. 25,000” shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(2) There shall be paid to each Leader of Opposition a sum of Rs. 10,000 per month for availing the services of computer operator.”;

(c) in the marginal note, after the words “personal assistant” the words “and a computer operator” shall be added.

STATEMENT OF OBJECTS AND REASONS.

The Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act (XLVII of 1956), the Maharashtra Ministers' Salaries and Allowances Act (XLVIII of 1956), the Maharashtra Legislature Members' Salaries and Allowances Act (XLIX of 1956) and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978 (Mah. VIII of 1978), provide, *inter-alia*, for payment of salary and certain other allowances to the presiding authorities, Ministers, Leaders of Opposition and Members like sitting allowance, telephone allowance, sumptuary allowance, stationery and postage allowance and salary of personal assistants. The members have also be provided with facility of the computer or the laptop. The Members have represented to the Government that the services of the computer operator may also be made available. The Maharashtra Legislature Members' Pension Act, 1976 (Mah. I of 1977) provides for payment of pension to the persons who have served as Members of the State Legislature in the State of Maharashtra.

2. Considering the overall inflationary trends, increase in the work load and the fluctuating fuel prices and increased need for use of computer and laptop facilities by the Members, the Government of Maharashtra considers it expedient to specify that the salaries and other allowances payable to the Members shall be the amount of salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Principal Secretary to the Government of Maharashtra and as revised, from time to time. Similarly, in case of the Chairman and the Speaker, the Ministers and the Leaders of Opposition in the Maharashtra State Legislature, it is considered expedient to provide that the salaries and other allowances payable to them shall be the amount of salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Chief Secretary to the Government of Maharashtra and as revised, from time to time. In case of the Deputy Chairman of the Maharashtra Legislative Council, and the Deputy Speaker of the Maharashtra Legislative Assembly, and the Minister for State, it is considered expedient to provide that the salaries and other allowances payable to them shall be the amount of salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Additional Chief Secretary to the Government of Maharashtra and as revised, from time to time. It is also considered expedient to provide for increase in certain other allowances like daily allowance and salary of personal assistants and making provision for the services of computer operator. It is also proposed to increase the amount of pension payable to the persons who have served as Members of the State Legislature.

3. Hence this Bill.

Mumbai,
Dated the 5th August 2016.

GIRISH BAPAT,
Minister for Parliamentary Affairs.

FINANCIAL MEMORANDUM

The Bill would involve the following additional expenditure from the Consolidated Fund of the State on its enactment as an Act of the State Legislature, namely:—

The additional recurring expenditure towards salary and certain other allowances like daily allowance, and salary of personal assistants and computer operator to the Chairman and the Deputy Chairman of the Maharashtra Legislative Council, the Speaker and the Deputy Speaker of the Maharashtra Legislative Assembly, the Ministers and the Ministers for State, the Leaders of Opposition in the Maharashtra State Legislature and Members of the State Legislature and the pension payable to the persons who have served as Members of the State Legislature is estimated to Rs.75 Crore per year.